



MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

JOHANA V. CASTRO  
Assistant Corporation Counsel  
phone: (212) 788-0976  
fax: (212) 788-9776  
email: jcastro@law.nyc.gov

**MEMO ENDORSED**

May 9, 2008

BY FAX  
(212) 805-6712  
Honorable Kevin N. Fox  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Tamika Hughes v. City of New York, et al. 07-CV-9677 (DLC)(KNF)

Dear Magistrate Judge Fox:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the above-referenced case. I am writing to respectfully request that the settlement conference scheduled for May 13, 2008 at 2:30 p.m. be briefly adjourned for two weeks, on a date convenient for the Court. Plaintiff's attorney, Andrew Celli, Esq. does not consent to the adjournment because it is his position that the rules require the conference, it has previously been adjourned once before and he would like to go forward with the conference as scheduled. This is defendants' second request for an adjournment of the settlement conference.<sup>1</sup>

The reason for this request is that plaintiff only recently provided this office with a settlement demand on May 5, 2008. The undersigned has since conveyed plaintiff's demand to the appropriate supervisors within the Office of the Corporation Counsel for the purpose of

---

<sup>1</sup> Defendants submit that the previous adjournment was because the Court requested that the settlement conference date be moved to May 6, 2008, which was a date the undersigned was scheduled to be on trial. Accordingly, the undersigned requested that the conference date be changed.

obtaining permission to seek settlement authority from the Comptroller's office. To ensure that I have settlement authority in advance of appearing before Your Honor, I am respectfully requesting that the settlement conference be adjourned to a later date.

For the foregoing reasons, defendants respectfully request that the Court adjourn the settlement conference currently scheduled for May 13, 2008 at 2:30 p.m. until a later date convenient for the Court.

Thank you for your consideration in this regard.

5/9/08

*Application denied.  
By May 13, 2008, more than  
one week will have elapsed  
since the plaintiff communicated  
her settlement demand to the  
defendants. That is more than  
a sufficient period of time for the  
city's Comptroller to confer with  
counsel to the defendants regarding  
the defendants' settlement position.*

Respectfully submitted,

*Johana Castro*  
Johana Castro (JC 1809)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc:

BY FAX

(212) 763-5001

Andrew G. Celli, Esq.

Kennisha A. Austin, Esq.

Emery Celli Brinckerhoff & Abady, LLP

Attorneys for Plaintiff

75 Rockefeller Plaza, 20<sup>th</sup> Floor

New York, NY 10019

SO ORDERED:

*Kevin Nathaniel Fox*

KEVIN NATHANIEL FOX, U.S.M.J.